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TO: Income Maintenance Supervisors
Income Maintenance Lead Workers
Income Maintenance Staff
W-2 Agencies
Workforce Development Boards
Job Center Leads and Managers
Training Staff
Child Care Coordinators

FROM: Amy Mendel-Clemens
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Bureau of Eligibility Management
Division of Health Care Financing

BEM/DWS OPERATIONS MEMO					
No: 06-32					
DATE: 07/11/2006					
FS	<input checked="" type="checkbox"/>	MA	<input checked="" type="checkbox"/>	SC	<input type="checkbox"/>
CTS	<input type="checkbox"/>	CC	<input checked="" type="checkbox"/>	W-2	<input checked="" type="checkbox"/>
FSET	<input type="checkbox"/>	EA	<input type="checkbox"/>	CF	<input type="checkbox"/>
JAL	<input type="checkbox"/>	JC	<input type="checkbox"/>	RAP	<input type="checkbox"/>
WIA	<input type="checkbox"/>	Other	EP	<input type="checkbox"/>	★
PRIORITY: HIGH					

SUBJECT: New non-financial Medicaid Eligibility Requirement -- Federal Citizenship Documentation Requirement

CROSS REFERENCE: Deficit Reduction Act of 2005

EFFECTIVE DATE: August 1, 2006

PURPOSE

This memo provides agencies with information about a provision in the federal Deficit Reduction Act of 2005 that requires Medicaid, including BadgerCare and Family Planning Waiver, applicants and recipients claiming US citizenship to provide documentary evidence of their citizenship and identity.

This memo only outlines the Bureau's initial implementation plan and interim processing guidelines. An additional Operations Memo will be released later in July containing more detailed information agencies will need for implementation of the new requirement.

BACKGROUND

The federal Deficit Reduction Act (DRA) enacted earlier this year includes a provision that requires persons applying for or receiving Medicaid (MA) benefits, who have declared that they

are a U.S. citizen, to provide documentation of their U.S. citizenship and identity. In this case, Medicaid includes BadgerCare (BC) and Family Planning Waiver (FPW) programs.

Certain populations are exempt from the new provision because they have already provided documentation of their citizenship or are not included in the new law. The individuals who are exempt are the following:

- Anyone receiving Supplemental Security Income Medicaid
- Anyone enrolled in Medicare
- Anyone applying for or receiving BadgerCare Prenatal Program benefits

Additionally, individuals applying for Medicaid, Family Planning Waiver Program, or Well Woman Medicaid through the Presumptive Eligibility (PE) process do not have to provide citizenship documentation with the PE application. However, once the PE period ends and these individuals apply at their local agency, they may be subject to the requirements at that time.

POLICY CHANGE

Currently, to qualify for MA an individual has to declare under penalty of perjury that s/he is a national or citizen of the U.S., and, if not a citizen or national of the U.S., that s/he is in a satisfactory immigration status. Individuals who declare they are citizens do not have to provide documentary evidence of such a claim. However, if the individual's claim of citizenship is questionable s/he can be asked to provide documentation or verification.

Effective with this change, individuals declaring U.S. citizenship must provide proof of their U.S. citizenship and identity.

Future communication to the agencies will outline exactly what will be considered acceptable documentation for the citizenship requirement. While DHFS has received guidance on this provision of the DRA, there may be changes and further clarification yet coming from the federal government. DHFS is proceeding to comply with the law, but we remain sensitive to the difficulty that a rapid implementation may present for some applicants and recipients, as well as local agencies. Therefore DHFS is being cautious in issuing prescriptive guidelines to local agencies until all outstanding questions have been resolved.

IMPLEMENTATION OUTLINE

The Bureau's approach to implementation of the new requirements is to comply with the federal law, make it as easy as possible for applicants and recipients, and limit additional workload for local agencies. With this in mind, our plan is to implement these provisions in three stages:

1. Immediate action: Use existing CARES/CWW data and data matches to reduce the number of recipients who need to document their citizenship and identity at the time of their next review.
2. Short term action: Require applicants and recipients to provide documentation at the time of application and review, while keeping the process as uncomplicated and streamlined as possible for local agencies; and,

3. Long term action: Implement an on-going policy and process that minimizes workload and barriers but still complies with final provisions of federal law.

Using Information Technology

On June 29, 2006, we completed the necessary system work to update as many program participants' records as possible by using existing data and data matches within CARES. The data matches and updates are described in more detail below. For each of these, we included all individuals known to CARES in the update; even those not open for MA at the time. This was done so that in the event the individual applies for Medicaid at a later date, the valid verifications would already be on file.

1. Using existing CARES data to document citizenship and identity
In some cases, clients have already provided documentation to their worker that the federal government now defines as being valid for purposes of meeting the new citizenship/identification requirement. As appropriate, existing valid codes, from other non-financial verification fields, have been copied into the citizenship/identity verification code field. This was done for all open cases or cases closed less than 30 days, not just open MA cases.
2. Medicaid Birth Claims
A paid Medicaid Birth Claim is proof that the baby was born in Wisconsin and is therefore a U.S. citizen. We matched available Medicaid birth claims data for the years 2000-2006 against CARES and updated the citizenship verification code with a new verification code: MB – Medicaid Birth Claim.

Only individuals where the U.S. Citizen field is "Y" (i.e. those who have declared themselves as US citizens) were updated through the processes described above.

Targeted Communication to Recipients with August Reviews

Recipients with an August 2006 renewal date will be subject to the new requirements. Altering the existing renewal notice to include information about the new requirements and how it impacts individuals specifically could not be achieved given the timelines associated with the implementation. Instead, a U.S. Citizenship Documentation Requirements letter, attached to this memo, will be sent to recipients that are open for MA and have a review due in August for any program of assistance. (Note: Persons who are exempt from the new requirement will not receive a letter unless other household members are subject to the requirement. Under these circumstances, the letter will inform the exempt person(s) that s/he is not required to document her/his citizenship or identity.) The letter will be sent soon after the normal renewal notice is sent and includes information about the requirements and what recipients should provide to satisfy the requirements. The letter will be specific for the household and reflect the results of our data exchange matching process as follows:

- If a recipient has already presented valid documentation of citizenship and identity, s/he will not need to present anything further.
- If a recipient has already presented valid documentation of citizenship, but not identity, s/he will need to document identity.
- If a recipient has already presented valid documentation of identity, but not citizenship, s/he will need to document citizenship.

In addition, the newly developed Statement of Identity for Children Under 16 Years of Age form (HCF10154) will be included with the Requirements letter. Recipients can use the HCF10154 to attest to the identity of minors under age 16. This form was provided because many minors under the age of 16 do not have other acceptable documentation of identity.

We are looking into revising the review notices to include the new requirement information. Until that time, the separate U.S. Citizenship Documentation Requirements letter along with the HCF10154 will be sent shortly after the current review notice is sent each month.

FUTURE SYSTEMS CHANGES

CARES changes are being developed to correctly interpret valid verification codes for citizenship/identification and issue the associated pending verification and denial/closure notices. These changes are currently targeted for implementation in August 2006. Additional data exchange possibilities are also being explored.

WHAT AGENCIES SHOULD DO NOW

For new applications and July reviews conducted by your agency between now and July 31, 2006, do not apply this new policy requirement. Should an individual present documentation that will satisfy this requirement, collect and record this information using the most appropriate CARES verification code that matches the documentation shown. Attached to this memo is a current list of documents that can be used to meet the new requirement along with their related CARES verification code. However, do not deny or terminate anyone for not meeting the new requirement between now and July 31, 2006.

New applications received and reviews conducted on or after August 1, 2006 are subject to the new requirement. Additional processing information will be included in another memo issued later in July. A valid tool that can be used by agencies to obtain citizenship information is the online birth query.

NOTE ➤ In anticipation of federal auditing of state compliance with this new requirement, the verification code OW for “other written documentation” can no longer be used in connection with citizenship and identity. You must use the verification code that best matches the document presented for verification.

Attached is a list of the federally approved documentation that can be used to verify citizenship and identity along with the corresponding CARES code. New CARES codes will be added for those documents that do not already have a code. This list may be updated in the future based upon federal law adjustments or changes.

OTHER PROGRAMS

Many SeniorCare program applicants and recipients will be exempt from the new provision since many of them are Medicare recipients also. However, for any SeniorCare applicants and recipients that would be subject to the requirement, the policy and associated processes for this group will be communicated to local agencies later in the year.

This new requirement does not impact any other programs of assistance.

ATTACHMENTS

Sample - U.S. Citizenship Documentation Requirements letter – [English](#)
Sample - U.S. Citizenship Documentation Requirements letter – [Spanish](#)
Statement of Identity for Children Under 16 Years of Age [HCF10154](#)
Spanish version also available [HCF10154S](#)
Citizenship Documentation and Valid CARES Verification Codes [list](#)

CONTACTS

BEM CARES Information & Problem Resolution Center

★Program Categories – FS – FoodShare, MA – Medicaid, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – Food Stamp Employment and Training, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.

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